

# REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/736,126  
Filing Date: December 15, 2003  
First Named Inventor: McFarland  
Group Art Unit: 3624  
Examiner Name: Kazimi  
Attorney Docket Number: 384,7879 USU  
CUSTOMER NO.: 27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 35 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. XXXXX Previously submitted

i. XXXXX

Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on August 1, 2006 (any unentered amendment(s) referred to above will be entered).

ii. \_\_\_\_\_

Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. \_\_\_\_\_

Other \_\_\_\_\_

b. \_\_\_\_\_ Enclosed

i. \_\_\_\_\_

Amendment/Reply with transmittal

ii. \_\_\_\_\_

Affidavit(s)/Declaration(s)

iii. \_\_\_\_\_

Information Disclosure Statement (IDS) and PTO-1449

iv. \_\_\_\_\_

Other \_\_\_\_\_

## 2. Miscellaneous

a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b. \_\_\_\_\_ Other \_\_\_\_\_

## 3. Fees

The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. XXXXX The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. 01-0467.

i. XXXXX

RCE fee (\$790.00) required under 37 C.F.R. § 1.17(e)

ii. XXXXX

Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17) (\$1,020 - three months)

iii. \_\_\_\_\_

Other \_\_\_\_\_

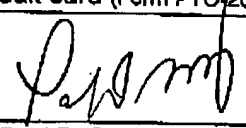
b. XXXXX

Check in the amount of \$ 1,810.00 enclosed

c. \_\_\_\_\_

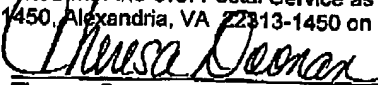
Payment by credit card (Form PTO-2038 enclosed)

Dated: November 1, 2006

  
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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 1, 2006.

 11/1/06  
Theresa Deonan

Application S.N.: 10/736 126 Filed: 12/15/03  
 Attorney Docket No.: 384-7879 USK

# RECEIPT OF TRANSMITTED DOCUMENTS

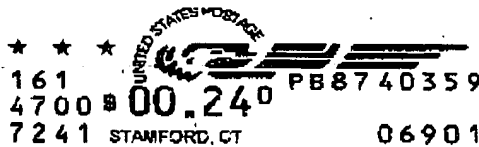
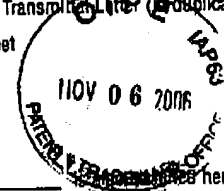
U.S.P.T.O. MAIL ROOM: Please place the Mail Room Date Stamp on this card to indicate receipt by the U.S. PTO of the paper(s) identified below and return card to sender.

## TYPE OF PAPER:

Amendment/Response	Brief (in triplicate)	Replacement Drawings	Notice of Appeal
Issue/Pub. Fee	Priority Document	Request for Recon.	IDS/PTC 1449/References
Certified Copy	Terminal Disclaimer	Certificate of Correction	Reg. for Ext. of Time
Preliminary Amendment	Declaration	132 Declaration	Transmittal Letter (duplicate)
Petition	Missing Parts	Assignment w/rec. Cover Sheet	
<u>RCE</u>	Maintenance Fee	Appeal Board's Decision	
Other:			

A check in the amount of \$ 1,810-

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OHLANDT, GRELEY,  
 RUGGIERO & PERLE, LLP